

## UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

Mitsubishi Chemical Corporation,  
 Mitsubishi Tanabe Pharma Corporation,  
 Encysive Pharmaceuticals Plaintiff,  
 Inc., SmithKline Beecham plc  
 and SmithKline Beecham Corp.  
 d/b/a GlaxoSmithKline,  
 - against -

Barr Laboratories, Inc.,  
 Defendant.

1:07 cv 11614 (JGK)

## MOTION TO ADMIT COUNSEL

## PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Robert J. Gunther, Jr. a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Christopher R. Noyes  
 Firm Name: Wilmer Cutler Pickering Hale and Dorr LLP  
 Address: 60 State Street  
 City/State/Zip: Boston, MA 02109  
 Phone Number: (617) 526-6000  
 Fax Number: (617) 526-5000

Christopher R. Noyes is a member in good standing of the Bar of the States of Massachusetts.

There are no pending disciplinary proceeding against Christopher R. Noyes in any State or Federal court.

Dated: February 5, 2008

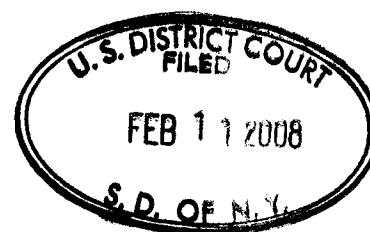
City, State: New York, NY

Respectfully submitted,

*Robert J. Gunther*

Sponsor's  
 SDNY Bar 1967652

Firm Name: Wilmer Cutler Pickering Hale and Dorr LLP  
 Address: 399 Park Avenue  
 City/State/Zip: New York, NY 10022  
 Phone Number: (212) 230-8800  
 Fax Number: (212) 230-8888



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Mitsubishi Chemical Corporation,  
Mitsubishi Tanabe Pharma Corporation,  
Encysive Pharmaceuticals Inc., SmithKline  
Beecham plc  
and SmithKline Beecham Corp. d/b/a  
GlaxoSmithKline,

1:07cv11614 (JGK)

Plaintiffs,

AFFIDAVIT OF ROBERT J. GUNTHER, JR.  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE

– against –

Barr Laboratories, Inc.,

Defendant.

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Robert J. Gunther, Jr., being duly sworn, hereby deposes and says as follows:

1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Plaintiffs Mitsubishi Chemical Corporation, SmithKline Beecham plc, and SmithKline Beecham Corp. in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of said Plaintiffs' motion to admit Christopher R. Noyes as counsel pro hac vice to represent said Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 27, 1985. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Christopher R. Noyes since 2007.
4. Mr. Noyes is an associate at Wilmer Cutler Pickering Hale and Dorr LLP, in Boston, Massachusetts.
5. I have found Mr. Noyes to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Christopher R. Noyes, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Christopher R. Noyes, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Christopher R. Noyes, pro hac vice, to represent said Plaintiffs in the above captioned matter, be granted.

Dated: February 5, 2008

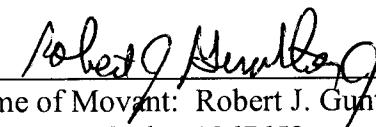
City, State: New York, NY

Notarized:

Sworn to before me  
This 5<sup>th</sup> day of February, 2008  
Mary Ann Gagliardi

MARY ANN GAGLIARDI  
NOTARY PUBLIC, State of New York  
No. 30-6702561  
Qualified in Nassau County  
Commission Filed in New York County  
Commission Expires Aug. 31, 2009

Respectfully submitted,

  
\_\_\_\_\_  
Name of Movant: Robert J. Gunther, Jr.  
SDNY Bar Code: 1967652

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

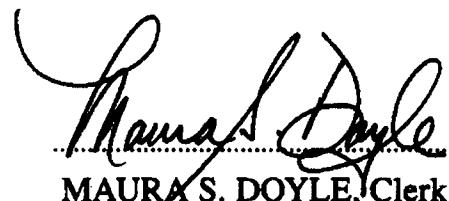
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **seventeenth** day of **December** A.D. **2002**, said Court being the highest Court of Record in said Commonwealth:

Christopher R. Noyes

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **sixteenth** day of **January** in the year of our Lord **two thousand and eight**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Mitsubishi Chemical Corporation,  
Mitsubishi Tanabe Pharma Plaintiff,  
Corporation, Encysive Pharmaceuticals  
Inc., SmithKline Beecham plc and  
SmithKline Beecham Corp. d/b/a  
GlaxoSmithKline,

1:07 cv 11614 (JGK)

- against -  
Barr Laboratories, Inc., Defendant.

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of Robert J. Gunther, Jr. attorney for Mitsubishi Chemical Corporation, SmithKline Beecham plc, and SmithKline Beecham Corp. and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Christopher R. Noyes  
Firm Name: Wilmer Cutler Pickering Hale and Dorr LLP  
Address: 60 State Street  
City/State/Zip: Boston, MA 02109  
Telephone/Fax: (617) 526-6000 / (617) 526-5000  
Email Address: christopher.noyes@wilmerhale.com

Mitsubishi Chemical Corporation, SmithKline Beecham plc, and SmithKline Beecham Corp. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

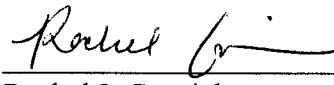
Dated:  
City, State: New York, NY

United States District/Magistrate Judge

**CERTIFICATE OF SERVICE**

I, Rachel I. Gurvich, certify that, on February 11, 2008, a copy of the Motion to Admit Counsel Pro Hac Vice for Christopher R. Noyes, Order for Admission Pro Hac Vice on Written Motion, and Affidavit of Robert J. Gunther, Jr. in Support of Motion to Admit Counsel Pro Hac Vice were served by regular mail on the following counsel of record:

Thomas John Meloro, Jr.  
Wilkie Farr & Gallagher LLP  
787 Seventh Avenue  
New York, NY 10019

  
\_\_\_\_\_  
Rachel I. Gurvich